

In addition to the missing BEC provisions of PL 91-658 -

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of the three conditions to be met in order for the second spouse to qualify for a survivor annuity, only one is identified in the proposed bill, i.e.,

A spouse acquired after retirement is entitled to a survivor annuity under the Act only upon electing this annuity instead of any other survivor benefit to which he may be entitled under this or another retirement system for Government (MAYBE THIS SHOULD BE FEDERAL ** GOVERNMENT CAN BE STATE OR FEDERAL) employees.

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The two missing conditions are:

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"must have elected"

- (1) At the time of retirement the employee must have been married and not have elected "an annuity with survivor benefit." An employee who, at the time he retires, is married and elects "an annuity without survivor benefit" cannot later change this election if his marriage terminates and he remarries.
- (2) The surviving spouse, if acquired after retirement, must have been married to the retiree for at least two years immediately preceding his death or be the parent of a child by that marriage. (Only mentioned in "Sectional Analysis" by reference to Sec. 204 of Act.)